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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,732	06/29/2000	Robert Leonard Munson	8285/374	6694

757 7590 10/29/2003

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EXAMINER	
NG, CHRISTINE Y	
ART UNIT	**PAPER NUMBER**
2663	7

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/606,732	Applicant(s) MUNSON ET AL.	
	Examiner Christine Ng	Art Unit 2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *29 June 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *25-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *43-45* is/are allowed.

6)☒ Claim(s) *25-29, 32-42, and 46-48* is/are rejected.

7)☒ Claim(s) *30 and 31* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 June 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 25-27, 33 and 36-41 are rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 5,995,605 to Madoch et al.

Referring to claim 25, Madoch et al disclose in Figure 3 a network for routing telephone calls directed to on-line computer data services (Element 80) from an originating central office (Element 64) to a terminating central office (Element 75). The network comprises a database (Elements 71 and 72) of the SCP (Element 70) in communication with the originating central office (Element 64), the database being operative to identify telephone calls to on-line computer data services (Element 80). Refer to Column 2, lines 33-47. The network also comprises a data trunk (Element 74) for connecting the originating central office (Element 64) and the terminating central office (Element 75), the data trunk (Element 74) being dedicated exclusively for carrying data transmissions. Refer to Column 2, lines 52-54. Finally, the network comprises a circuit-switch (Element 75) at the terminating central office (Element 75), the circuit switch (Element 75) being operative to connect the data trunk (Element 74) with the on-line data services (Element 80). Refer to Column 2, lines 54-64.

Referring to claim 26, Madoch et al disclose in Figure 3 that the database (Elements 71 and 72) is operative to identify telephone calls to on-line data services (Element 80) in response to an advanced intelligent network query from the SSP. Refer to Column 1, lines 57-59 and Column 2, lines 33-47.

Referring to claim 27, Madoch et al disclose in Figure 3 that the database (Elements 71 and 72) is operative to identify the trunk (Element 74) for connecting the originating central office (Element 64) and the terminating central office (Element 75) using routing instructions. Refer to Column 2, lines 52-54.

Referring to claim 33, Madoch et al disclose in Figure 3 that the system further comprises a primary rate interface (Element 76) for connecting the circuit switch (Element 75) with the on-line data services (Element 80). Refer to Column 2, lines 57-60.

Referring to claim 36, Madoch et al disclose in Figure 3 that the circuit switch (Element 75) is dedicated to receive only calls to on-line data services (Element 80). The data stream from the circuit switch (Element 75) is "carried by a dedicated trunk 78 to the computer network node" (Column 2, lines 62-64).

Referring to claim 37, Madoch et al disclose in Figure 3 a method for routing telephone calls directed to on-line computer data services (Element 80) from an originating central office (Element 64) to a terminating central office (Element 75). The method comprises (a) determining that the telephone call is directed to an on-line computer data service (Element 80). Refer to Column 2, lines 33-38. The method also comprises (b) identifying an interoffice data trunk route (Element 74) between the

originating central office (Element 64) and the terminating central office (Element 75) that is dedicated to carrying only telephone calls to on-line computer services (Element 80). Refer to Column 2, lines 39-54. Finally, the method comprises (c) routing the call identified to (a) over the interoffice data trunk route (Element 74) identified to (b). Refer to Column 2, lines 52-54.

Referring to claim 38, Madoch et al disclose in Figure 3 that (a) comprises determining that the telephone call is directed to an on-line computer service (Element 80) by analyzing a dialed telephone number (centrex telephone number). Refer to Column 2, lines 34-38.

Referring to claim 39, Madoch et al disclose in Figure 3 that (a) comprises determining whether a dialed telephone number (centrex telephone number) is associated with an on-line computer data service (Element 80). Refer to Column 2, lines 34-38.

Referring to claim 40, Madoch et al disclose in Figure 3 that (a) comprises determining that the telephone calls is directed to an on-line computer data service (Element 80) by performing a database query (Elements 71 and 72) using a dialed telephone number (centrex telephone number). Refer to Column 2, lines 33-47.

Referring to claim 41, Madoch et al disclose in Figure 3 that (b) comprises identifying an interoffice data trunk route (Element 74) between the originating central office (Element 64) and the terminating central office (Element 75) by performing a database query (Elements 71 and 72). Refer to Column 2, lines 43-47 and lines 52-54.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 28, 42, 47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,995,605 to Madoch et al in view of U.S. Patent No. 5,680,446 to Fleischer et al.

Referring to claims 28 and 42, Madoch et al do not disclose that the database is further operative to identify the data trunk for connecting the originating central office to the terminating central office. Fleischer et al disclose in Figure 7 that a database, an SCP (Element 30), is operative to identify the data trunk (route office number) for connecting the originating central office and the terminating central office by indexing a dialed telephone number (NPA-NXX) and a point code (SSP 12, SSP 14 or SSP 16) identifying the originating central office in a routing table (Instate NPA-NXX Trunk Routing Table). Refer to Column 5, lines 56-60; Column 10, lines 36-41 and Column 19, lines 14-39. For each terminating number in the table, a route office number associated with each SSP is used to "identify the trunk on which to route the telephone call for termination" (Column 19, lines 31-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a database to identify the data trunk for connecting the originating central office and the terminating

central office by indexing the dialed telephone number and a point code in order to select a trunk group for the SSP to use based on the terminating number.

Referring to claim 47, Madoch et al do not disclose that the first computer readable program code is operative to cause a computer to perform a database query using a dialed telephone number and a point code. Fleischer et al disclose in Figure 7 that a programmable service control point (Refer to Column 9, lines 63-64 and Column 12, lines 35-41) can perform a database query using a dialed telephone number (NPA-NXX) and a point code (SSP 12, SSP 14 or SSP 16). Refer to Column 5, lines 56-60; Column 10, lines 36-41 and Column 19, lines 14-39. For each terminating number in the table, a route office number associated with each SSP is used to "identify the trunk on which to route the telephone call for termination" (Column 19, lines 31-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a first computer readable program code to cause a computer to perform a database query using a dialed telephone number and a point code in order to select a trunk group for the SSP to use based on the terminating number.

Referring to claim 48, Madoch et al do not disclose that the second computer readable program code is operative to cause a computer to index a dialed telephone number and a point code identifying the originating central office in a routing table. Fleischer et al disclose in Figure 7 that a programmable service control point (Refer to Column 9, lines 63-64 and Column 12, lines 35-41) can index a dialed telephone number (NPA-NXX) and a point code (SSP 12, SSP 14 or SSP 16) identifying the

originating central office in a routing table (Instate NPA-NXX Trunk Routing Table). Column 5, lines 56-60; Column 10, lines 36-41 and Column 19, lines 14-39. For each terminating number in the table, a route office number associated with each SSP is used to "identify the trunk on which to route the telephone call for termination" (Column 19, lines 31-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include second computer readable program code is operative to cause a computer to index a dialed telephone number and a point code identifying the originating central office in a routing table in order to select a trunk group for the SSP to use based on the terminating number.

5. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,995,605 to Madoch et al in view of U.S. Patent No. 5,524,146 to Morrisey et al. Madoch et al do not disclose that the database further comprises a routing table that includes a plurality of telephone numbers associated with dial-up access lines to on-line data services. Morrisey et al disclose that the originating central office SSP collects the specified number of dialed digits for identifying one of the ISPs and sends a message to the ISCP. The database (ISCP) then uses the digits to access a routing table (ISP table) which lists all of the ISPs and thereby identifies which ISP the current caller called. Refer to Column 16, lines 3-14. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the database further comprises a routing table that includes a plurality of telephone numbers associated with dial-up access lines to on-line data services in order for the database to identify which ISP the originating caller called.

6. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,995,605 to Madoch et al in view of U.S. Patent No. 6,097,719 to Benash et al. Madoch et al does not reveal that the circuit switch consolidates access to on-line data services within a LATA. Benash et al show in Figure 5 that a circuit switch (Element 12) consolidates access to on-line data services (Element 40) using a LATA hub (Element 10). The disclosed LATA hub serves the customers of the ISPs and provide for the "collection, concentration and management of the customers traffic within a LATA" (Column 9, lines 56-57) in a defined geographic region. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the circuit switch consolidates access to on-line data services within a LATA in order to collect, concentrate and manage customer traffic in a defined geographic region.

7. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,995,605 to Madoch et al in view of U.S. Patent No. 5,805,587 to Norris et al. Madoch et al do not disclose that the system further comprises a T1/DS1 line for connecting the circuit switch with the on-line data services. Norris et al disclose in Figure 1 a T1 line (Element 150) connecting a circuit switch (Element 105) with on-line data services (Element 200). T1 carrier lines each have 24 communication channels with at least one channel serving as a signaling channel. The signaling channel allows the circuit switch (Element 105) and the on-line data services (Element 200) to set up communication between the data terminal (DT1) and the Internet (Element 300). Refer to Column 2, lines 31-45. Therefore, it would have been obvious to one of ordinary skill

in the art at the time the invention was made to include a T1 line for connecting the circuit switch with the on-line data services in order to set up communication between a data terminal and the Internet.

8. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,995,605 to Madoch et al in view of U.S. Patent No. 6,205,134 to Jordan et al. Madoch et al do not disclose that the data trunk comprises a T1 trunk line. Jordan et al teach that T1 is the standard form of trunk line, which provides 24 simultaneous channels to carry audio telephone signal and a limited degree of signaling information including information on reserving a channel, making a call on a channel, and transferring a call. Refer to Column 1, lines 49-55. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the data trunk comprises a T1 trunk line since T1 carriers carry audio telephone signal and signaling information.

9. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable ~~in view of~~ over U.S. Patent No. 5,995,605 to Madoch et al. Madoch et al disclose that the database (Elements 71 and 72) of the SCP (Element 70) performs the routing of telephone calls directed to on-line computer data services (Element 80) from an originating central office (Element 64) to a terminating central office (Element 75), according to the method of claim 46. Refer to the rejection of claim 37. Madoch et al do not disclose that computer readable program codes route the telephone calls according to the method of claim 46. However, Madoch et al disclose that the SCP (Element 70) can be a computer usable medium that contains a computer-readable storage medium (Element

73) to store "programs (computer readable instructions) to implement various services by the SCP" (Column 2, lines 49-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include computer readable program code for routing telephone calls according to the method of claim 46 since Madoch et al state that the SCP can contain computer-readable instructions.

Allowable Subject Matter

10. Claims 43-45 are allowed.

11. Claim 30 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (703) 305-8395. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8395.

C. Ng
October 21, 2003

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